



North Carolina Department of Environment and Natural Resources

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor  
William G. Ross Jr., Secretary

December 23, 2008

Mr. Tom Miller  
Solid Waste Director  
P. O. Box 3289  
130 S. Queen Street  
Kinston, North Carolina 28501

Re: Petition to Return to Detection Monitoring  
Lenoir County Sanitary Landfill  
Construction and Demolition Landfill Permit 54-03  
Doc ID 6484

Dear Mr. Miller:

Insufficient evidence is presented in the letter from Municipal Engineering Services Company, P. A. (MESCO), dated December 11, 2008, to demonstrate compliance with Rule .1634(e) and why a corrective action plan (CAP) is "unwarranted". Mercury is a constituent of concern (COC) listed in the *Assessment of Corrective Measures prepared for Lenoir County Landfill* (ACM), dated August 2007. Its detection is reportedly "the result of landfill disposal activities", statistically significant, and historically detected above 2L groundwater quality standards. It is also shown in July 2007 to exceed the 2L groundwater quality standard and shown in 2007 to have substantially increased above historical levels. Cobalt, while not currently identified as a COC, is the constituent on which the Petition to Return to Detection Monitoring (petition) is based. The detection of cobalt is reportedly statistically significant by interwell analysis and shown with intrawell analysis to exceed groundwater protection limits during normal groundwater levels. It is also reportedly detected in MW-9, which is located beyond the relative point of compliance. Unclear is why MESCO submitted an ACM for "unwarranted" corrective actions to be eventually included in a CAP and why the petition is based on a constituent not of concern.

Please proceed with the submission of the CAP. The CAP is required pursuant to 15A NCAC 13B .0547(4)(c), effective July 1, 2008 and should be submitted within 30 days of the receipt of the SWS letter, dated December 11, 2008 (Doc ID 6378). If you have any questions, I can be reached at 919-508-8401.

Sincerely,

Zinith Barbee  
Hydrogeologist  
Solid Waste Section

cc: Mark Poindexter  
Ed Mussler  
Sean Patrick  
Central File

Solid Waste Section Field Operations Supervisor  
Solid Waste Section Permitting Branch Supervisor  
Municipal Engineering Services Co., P.A.